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Attorneys for Plaintiff
JEAN-LUC GRAND-CLEMENT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE JUDICIAL DISTRICT

JEAN-LUC GRAND-CLEMENT,

Plaintiff,

v.

LAFAYETTE SOFTWARE, INC., a
Delaware Corporation,

Defendant.

CASE NO. C04-04956 JW

**STIPULATION AND ~~PROPOSED~~ ORDER
FURTHER EXTENDING DEADLINE TO
CONDUCT MEDIATION**

Whereas, the Court has set the deadline for the parties to conduct mediation in this matter by June 30, 2005;

Whereas, the parties conducted a telephone conference with the appointed mediator and initially scheduled a mediation session for June 21, 2005;

Whereas, there is a previously-filed proceeding involving both parties to this dispute pending in the Tribunal de Commerce de Versailles (Commercial Court of Versailles) in



1 France in which the parties understand an order has been issued directing that defendant
2 Lafayette Software, Inc. be liquidated;

3 Whereas, in light of the liquidation proceedings the parties stipulated and the
4 Court ordered the mediation deadline extended to September 30, 2005;

5 Whereas, counsel for defendant Lafayette Software, Inc. has been informed that
6 the Liquidator appointed in the French proceeding intends to withdraw authorization for Latham
7 & Watkins LLP to represent Lafayette in this case;

8 Whereas, in light of the present uncertainty regarding representation of Lafayette
9 believe that a one month extension to the current mediation deadline is advisable;

10 Wherefore, plaintiff JEAN-LUC GRAND-CLEMENT and defendant
11 LAFAYETTE SOFTWARE, INC., stipulate and jointly request that the deadline for mediation
12 in this case be extended to October 31, 2005;

13 IT IS SO STIPULATED.

14 Dated: September __, 2005

BINDER & MALTER, LLP

15
16 By _____

Gayle Zickgraff Green
Attorneys for Plaintiff
JEAN-LUC GRAND-CLEMENT

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18 Dated: September 12, 2005

LATHAM & WATKINS LLP

19
20 By  _____

James L. Day
Attorneys for Defendant
LAFAYETTE SOFTWARE, INC.

1 France in which the parties understand an order has been issued directing that defendant
2 Lafayette Software, Inc. be liquidated;

3 Whereas, in light of the liquidation proceedings the parties stipulated and the
4 Court ordered the mediation deadline extended to September 30, 2005;

5 Whereas, counsel for defendant Lafayette Software, Inc. has been informed that
6 the Liquidator appointed in the French proceeding intends to withdraw authorization for Latham
7 & Watkins LLP to represent Lafayette in this case;

8 Whereas, in light of the present uncertainty regarding representation of Lafayette
9 believe that a one month extension to the current mediation deadline is advisable;

10 Whereas, counsel for Plaintiff will be out of the country for the period from
11 September 12, 2005 through October 4, 2005;

12 Wherefore, plaintiff JEAN-LUC GRAND-CLEMENT and defendant
13 LAFAYETTE SOFTWARE, INC., stipulate and jointly request that the deadline for mediation
14 in this case be extended to October 31, 2005;

15 IT IS SO STIPULATED.

16 Dated: September 7, 2005

BINDER & MALTER, LLP

17
18 By 
19

Gayle Zickgraff Green
Attorneys for Plaintiff

JEAN-LUC GRAND-CLEMENT

20 Dated: September __, 2005

LATHAM & WATKINS LLP

21
22 By _____
23

James L. Day

Attorneys for Defendant

LAFAYETTE SOFTWARE, INC.

ORDER

The current mediation deadline is vacated. The deadline for conducting mediation in this case is October 31, 2005.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Sept. 14, 2005

/s/ James Ware

The Honorable James Ware
United States District Judge